



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Case No. 98,169-A)

03 CO
PATENT

In re Application of:

Lee F. Holeva

Serial No. 09/902,213

Filed: July 10, 2001

For: Method and System for
Automatic Gain Control with
Adaptive Table Lookup

Examiner: Not Assigned

Art Unit: Not Assigned

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Transmittal Letter
 - b. Response to Notice to File Corrected Application Papers
 - c. Petition in Response to Notice to File Corrected Application Papers
 - d. Copy of Transmittal Letter dated July 10, 2001
 - e. Substitute Drawings (Figures 1, 2, 3, 4, 5, 6, 7, and 8; 8 pages)
 - f. Return Receipt Postcard
2. With respect to additional fees:
 - A. No additional fee is required.
 - x B. Attached is a check in the amount of \$130.00.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.10: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date below.

Date:

9/27/01

By:

George I. Lee
Reg. No. 39,269



UTILITY PATENT APPLICATION TRANSMITTAL

Submit an original and a duplicate for fee processing
(Only for new nonprovisional applications under 37 CFR 1.53(b))

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Attorney Docket No. 98,169-A

First Named Inventor Lee F. Holeva

Express Mail No. EL604651428US

APPLICATION ELEMENTS

1. ☒ Transmittal Form with Fee
2. ☒ Specification (including claims and abstract) [Total Pages 22]
3. ☒ Drawings [Total Sheets 6]
4. ☒ Oath or Declaration [Total Pages 2]
 - a. ☐ Newly executed
 - b. ☒ Copy from prior application
[Note Boxes 5 and 18 below]
 - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☒ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Code Listing (See 1.96)
 - a. ☐ Microfiche Appendix
 - b. ☐ CD-Rom (in duplicate, with separate transmittal)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy
 - c. ☐ Statement verifying above copies
8. ☐ Small Entity Status
 - ☐ is claimed
 - ☐ Statement filed in prior application; status still proper and desired
 - ☐ is no longer claimed.

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers
10. ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)
 - ☐ PTO-1449 Form
 - ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☒ A Request for non-publication pursuant to 35 USC 122(b)(2)(B)(i)
17. ☐ Other:

18. ☒ This is a CONTINUING APPLICATION. Please note the following:

- a. ☒ This is a ☐ Continuation ☒ Divisional ☐ Continuation-in-part of prior application 09/067,144, filed April 27, 1998.
- b. ☒ Cancel in this application original claims 1-22 and 39 of the prior application and add claims 41-53 before calculating the filing fee. (At least one claim must remain.)
- c. ☒ Amend the specification by inserting before the first line the sentence:
This is a ☐ continuation ☒ divisional ☐ continuation-in-part of application Serial No. 09/067,144, filed April 27, 1998.
- d. ☒ The prior application is assigned of record to 3Com Corporation.



UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 98,169-A

APPLICATION FEES

BASIC FEE				\$ 710.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	31 -20=	11	x \$18.00	\$ 198.00
Independent Claims	4 -3=	1	x \$80.00	\$ 80.00
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$270.00	\$
Total of above calculations =				\$
Reduction by 50% for filing by small entity =				\$()
<input type="checkbox"/> Assignment fee if applicable			+\$40.00	\$
TOTAL =				\$ 988.00

19. ☐ Please charge my Deposit Account No. 13-2490 in the amount of \$20. ☒ A check in the amount of 988.00 is enclosed.

21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:

- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.

22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.

23. CERTIFICATE OF MAILING

I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to the Asst. Commissioner for Patents, Box Patent Application, Washington, DC 20231, on the date indicated below.

24. USPTO CUSTOMER NUMBER



20306

PATENT TRADEMARK OFFICE

McDonnell Boehnen Hulbert & Berghoff

25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name	George I. Lee
Reg. No.	39,269
Signature	
Date	July 10, 2001

UTIL (Rev. 11/21/00)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,169-A)

In re Application of:)
)
Lee F. Holeva)
) Group Art Unit: To be assigned
Serial No.: 09/902,213)
) Examiner: To be assigned
Filed: July 10, 2001)
)
For: Method and System for Automatic)
Gain Control with Adaptive Table)
Lookup)

Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION IN RESPONSE TO NOTICE TO FILE
CORRECTED APPLICATION PAPERS

Dear Sir,

Applicant petitions that Figures 7 and 8 of the above-referenced patent application were in fact filed with the Patent and Trademark Office on July 10, 2001. In support of Applicant's Petition, Applicant submits a copy of the Utility Patent Application Transmittal filed on July 10, 2001 and a Petition Fee of \$130.00.

The Utility Patent Application Transmittal indicates that Applicant filed six pages of drawings. Applicant submits that pages one through four correspond to Figures 1 to 6, which have been properly filed. Applicant submits that the remaining pages, pages five and six, correspond to Figures 7 and 8.

Figures 7 and 8, as disclosed in the Specification, illustrate "the before and after results of the AGC." (Specification, p. 14, line 5). Applicant submits that pages 5 and 6, as filed, do not have figure numbers. Pages five and six, however, are titled "Before AGC" and "After AGC." As pages five and six are specifically identified by title in the Specification, Applicant submits that page five of the drawings (which is labeled "Before AGC") is Figure 7 and page six of the drawings (which is

labeled "After AGC") is Figure 8. Therefore, Applicant submits that Figures 7 and 8 were properly filed.

Additionally, the Utility Patent Application Transmittal also incorporates by reference the entire disclose of the prior application 09/067,144 filed April 27, 1998. Applicant selected box 5 of the Application Elements on the Utility Patent Application Transmittal to indicate incorporation by reference of the drawings filed in the prior application in the pending application. As Figures 7 and 8 were filed in the prior application, Applicant submits that Figures 7 and 8 are incorporated by reference into the pending application.

Based on the above, Applicant respectfully requests that the Commissioner withdraw its notice that Figures 7 and 8 have been omitted from the pending application.

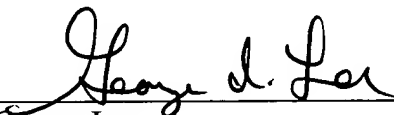
Respectfully submitted,

McDONNELL BOEHNEN
HULBERT & BERGHOFF

Date:

9/27/01

By:


George Lee
Reg. No. 39,269



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,169-A)

In re Application of:)
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Lee F. Holeva)
) Group Art Unit: To be assigned
Serial No.: 09/902,213)
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For: Method and System for Automatic)
Gain Control with Adaptive Table)
Lookup)

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Dear Sir,

Applicant herewith submits a Response to the Notice to File Corrected Application Papers mailed August 1, 2001. Enclosed please find 8 pages of drawings corresponding to Figures 1-8 of the above-referenced patent application. Applicant submits that the substitute drawings are reasonably free from erasures and alterations pursuant to 37 C.F.R. 1.84.

If there are any questions, the Examiner is invited to call the undersigned attorney at (312) 913-2138.

Respectfully submitted,

McDONNELL BOEHNEN
HULBERT & BERGHOFF

Date: 9/27/01

By: George Lee
George Lee
Reg. No. 39,269